

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CATHERINE MCKOY, MARKUS FRAIZER, and
LYNN CHADWICK, individually and on behalf of all
others similarly situated,

Plaintiffs,

vs.

No. 1:18-cv-09936-LGS-SLC

THE TRUMP CORPORATION, DONALD J. TRUMP,
in his personal capacity, DONALD TRUMP JR., ERIC
TRUMP, and IVANKA TRUMP,

Defendants.

**DECLARATION OF DAVID MERRIMAN IN FURTHER SUPPORT OF ACN'S RENEWED
MOTION TO SEAL DOCUMENTS**

David Merriman, declares under penalty of perjury pursuant to 28 U.S.C § 1746, that the following is true and correct:

1. My name is David Merriman. I am an Executive Vice President of ACN. I submit this declaration in further support of ACN's Renewed Motion to Seal Documents.
2. I have knowledge of this matter as my duties entail overseeing and managing the company and providing guidance to other officials in the organization.
3. I have reviewed the documents ACN purports to have sealed before this Court.
4. Most of the information in these documents sought for renewed sealing are strictly confidential and were never released to the public.
5. The information in these documents contain ACN's research and development information, marketing plans and strategies for products, revenue information, pricing

information, trade secrets, pricing lists, engagement, purchase quantity objectives, and payments between other parties.

6. Further, the documents also contain sensitive personal and private information of ACN's individual business owners (IBOs), its employees and vendors.
7. If this confidential information were released to the public, ACN's competitors would then have immediate access to the pricing information, confidential strategies from meeting minutes, vendor lists, employee compensation data, personal contact information of IBOs, and company finance projections.
8. The access to this confidential information would place ACN at a significant disadvantage as the competitors would be better able to position themselves in negotiations, target specific employees and IBOs, target ACN's vendors and partners, and exploit various opportunities ACN previously identified.
9. I have reviewed the redactions ACN proposes and believe they are reasonable and narrowly tailored to cover only the information that would directly harm ACN's ability to operate its business competitively and information that third party individuals deem as confidential and private.

FURTHER THIS AFFIANT SAYETH NOT.

DATED: March 1, 2024.


David Merriman